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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/648,562
Applicant : Gavin P. Towler et al.
Filed : August 26, 2003
Title : Solid Fuel Devices for Fuel Cells

TC/A.U. : 1745
Examiner : Alix Elizabeth Echelmeyer
Docket No. : 108165

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF RESTRICTION
UNDER 37 C.F.R. § 1.143**

Sir:

In response to the Office Action dated July 5, 2006, requiring an election, applicants hereby provide a provisional election. The Examiner has required a restriction under 35 U.S.C. § 121 to one of the following four groups:

Group 1-Claims 1-12, drawn to an apparatus for containing solid fuel, classified in class 206, subclass 0.6;

Group 2-Claims 13-22, drawn to a solid fuel cartridge, classified in class 96, subclass 147;


Group 3-Claims 23-32, drawn to an apparatus for holding a fuel cartridge, classified in class 206, subclass 0.6; and

Group 4-Claims 33-34, drawn to a fuel cell system, classified in class 429, subclass 34.

Applicants hereby provisionally elect Group 1 containing Claims 1-12 with traverse. It is respectfully submitted that when the nature of the invention is considered, the restriction for groups 1 and 2 is without merit. Both groups 1 and 2 are drawn to a fuel cartridge for holding solid fuels, and that the classification system of the Office for placing fuel cartridges in different categories is arbitrary. Accordingly, applicants respectfully request that the restriction requirement with respect to groups 1 and 2 be withdrawn and that Claims 1-22 be examined together.

Applicants further request that if Examiner stands by the restriction requirement, upon allowance of the elected claims, Claims 13-22 be rejoined and also be allowed.

Respectfully submitted,



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